

REMARKS

I. Introduction

Claims 7 and 9 to 13 are pending in the present application. In view of the following remarks, it is respectfully submitted that the present application is in condition for immediate allowance, and reconsideration is respectfully requested.

II. Rejection of Claims 7 and 9 under 35 U.S.C. § 102(b)

Claims 7 and 9 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,136,460 ("Chen et al."). It is respectfully submitted that Chen et al. do not anticipate these claims for at least the following reasons.

Claim 7 relates to an electrical contact including: a metallic substrate; and a contact layer in the form of a gradient layer applied on the metallic substrate, the gradient layer being composed of at least two elements, the at least two elements including a first element and a second element, wherein one of: (a) the first element is silver and forms an alloy with the second element, the second element including one of indium and tin, (b) the first element is tin and the second element is phosphorus, and (c) the first element is indium and the second element is tin.

Chen et al. do not disclose, or even suggest, the feature of a contact layer in the form of a gradient layer applied on a metallic substrate. As is apparent from Figure 1 and column 7, lines 1 to 19, Chen et al. describe a substrate (12) made of copper or a copper-based alloy, the substrate (12) having a tin coating (16) and an anti-tarnish coating (18) applied to the tin coating (16). The anti-tarnish (18) coating may be made of zinc, indium, phosphorus or alloys or mixtures thereof. The tin coating (16) is heated to a temperature sufficient to reflow the surface of the tin coating (16) and diffuse some of the materials of the anti-tarnish coating (18) near an interface (20) of the two coatings, into the tin coating (16). As a result, a concentration gradient of anti-tarnish agents is produced in the anti-tarnish coating (18), the concentration of the anti-tarnish agents decreasing from a first surface (19) of the anti-tarnish coating (18) to the interface (20) of the anti-tarnish coating (18) and the tin coating (16). **However, the anti-tarnish coating (18) of Chen et al. is not applied on the substrate (12), as the tin coating (16) is situated between the anti-tarnish coating (18) and the substrate (12). In addition, although the Office Action considers the tin coating (16) to be part of a gradient layer, and anti-tarnish agents from the anti-tarnish coating (18) are said to diffuse into the tin coating (16), the tin and anti-tarnish agents do not homogeneously mix.**

Furthermore, Chen et al. make no mention whatsoever of a concentration gradient of tin or anti-tarnish agents in the tin coating (16). Thus, the tin coating (16) and the anti-tarnish coating (18) remain as two separate layers, and the tin coating (16) cannot be considered as part of a gradient layer.

Accordingly, it is respectfully submitted that Chen et al. not anticipate claim 7 for at least these reasons.

As for claim 9, which depends from claim 7 and therefore includes all of the features of claim 7, it is respectfully submitted that Chen et al. do not anticipate this dependent claim for at least the reasons set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 10 to 13 under 35 U.S.C. § 103(a)

Claims 10 to 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Chen et al. and U.S. Patent No. 5,800,932 ("Suzuki et al."). It is respectfully submitted that the combination of Chen et al. and Suzuki et al. does not render these claims unpatentable for at least the following reasons.

Claims 10 to 13 ultimately depend from claim 7 and therefore include all of the features of claim 7. As set forth in greater detail above, Chen et al. do not disclose, or even suggest, all of the features of claim 7. In addition, Suzuki et al. are not relied upon for disclosing or suggesting the features of claim 7 not disclosed or suggested by Chen et al. Accordingly, it is respectfully submitted that the combination of Chen et al. and Suzuki et al. does not render unpatentable claims 10 to 13, which ultimately depend from claim 7.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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